

REMARKS

Claims 1, 8 and 9 have been amended in response to the rejection under 35 U.S.C. Section 112.

In Claims 1 and 9, "length" has been changed to "width". The width referred to is that indicated by the dimension "W" in Figures 1 and 2 of the drawings.

Claim 8 has been amended in a similar manner.

It is believed that the claims are sufficiently definite.

Claims 3 and 4 have been amended to independent form, as suggested by the Examiner, and are allowable.

The rejection over Gosselin under Section 102(b) is respectfully traversed.

Gosselin does not show or suggest a cutter with a transverse blade whose width is at least substantially equal to the width of the food block to be cut.

Thus, Gosselin's device requires another one or two steps in its use which are not required by applicant's device. After the blade of Gosselin's knife is thrust into the butter stick, it must be withdrawn, rotated 90° to bring the long portion of the blade across the butter stick, and a second cut then is made to sever the desired quantity of butter.

Applicant's device permits one to greatly reduce the time and motion needed for the measurement and cutting of the food block.

The rejection of Claims 1 and 5-10 under Section 103(a) over Wentzel in view of Youngberg also is traversed.

Wentzel shows a butter ruler with raised measurement marks which are pressed downwardly into the butter stick to leave marks. Then, the ruler is lifted up and rotated so that the ruler portion 4 can be used as a handle and the dull edge 5 of the end portion 3 can be used to cut on the desired mark left in the butter by pressing the ruler against the surface of the butter stick. (See Column 2, lines 29-39.)

Youngsberg merely shows a butter cutter with a "fluted" (wavy) cutting blade. The cutter is for making butter "chips". It does not measure any quantity of butter and thus is not for the same purpose as applicant's device.

There is no suggestion in either reference that they should be combined, or as to how they should be combined to obtain the invention.

If one were to replace Wentzel's knife portion 3 with the wavy blade 9 of Youngsberg, the resulting device still would require one to lift the ruler off the butter bar, rotate it to be used as a handle, and then cut the bar.

Thus, even with the use of hindsight, the invention is not achieved.

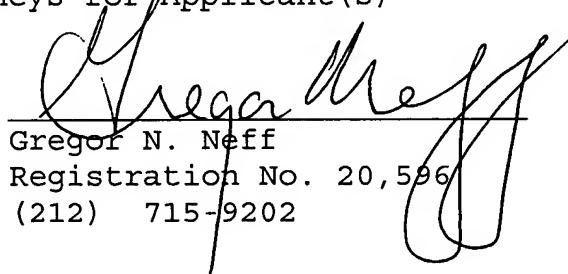
The extreme simplicity of use of applicant's invention should not be mistaken for obviousness. Only by the exercise of hindsight can one see the benefits of applicant's very simple, clean-cutting and fast cutter and method.

Allowance of the patent application is respectfully requested.

Respectfully submitted,

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